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ROGERS AND PAUL BARKWORTH

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

ALBERT RICHARDS,
Plaintiff,

v.

CENTRIPETAL NETWORKS, LLC f/k/a
CENTRIPETAL NETWORKS, INC.; STEVEN
ROGERS; JONATHAN ROGERS; and JOHN
DOES 1-10,
Defendants.

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Case No.: 4:23-cv-00145-HSG

**STIPULATION AND ORDER TO EXTEND
TIME TO OPPOSE AND REPLY TO
DEFENDANTS' MOTION TO DISMISS**

Civil L.R. 6-1(b), 6-2, 7-12

Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, Plaintiff Albert Richards (“Plaintiff”) and Defendants Centripetal Networks, Inc., Steven Rogers and Jonathan Rogers (collectively, “Defendants”) stipulate as follows:

On February 27, 2024, Defendants filed three motions: a Motion to Dismiss Plaintiff’s Second Amended Complaint (Docket No. 63), a Motion to Dismiss Paul Barkworth as a defendant (Docket No. 64), and a Motion to Stay Discovery (Docket No. 65). Defendants noticed all three motions for hearing on April 11, 2024.

Under the Federal Rules of Civil Procedure, Plaintiff’s Oppositions to all three motions would ordinarily be due on March 12, 2024, and Defendants’ three Reply briefs would be due on March 19, 2024. Fed. R. Civ. P. 6; Civ. L.R. 7-3(a), 7-3(c).

Under those deadlines, there are 23 days between the hearing and the date on which the motion will be fully briefed. The parties have met and conferred, and agreed that the Opposition and Reply deadlines can be extended, while also providing the Court the customary seven days before hearing to consider the fully-briefed motion.

The parties therefore agree that:

- Plaintiff may file his three Opposition briefs no later than **March 22, 2024**, at 10:00 a.m. Pacific Time;
- Defendants may file their three Reply briefs no later than **April 4, 2024**.

The parties do not request any modification to the April 11, 2024 hearing date, and the proposed extensions will not alter the date of any event or deadline already fixed by Court order.

The Court has previously extended the time for: responding to the Complaint and Defendants’ Administrative Motion to Seal (Docket No. 12, filed 1/31/23); briefing on Defendants’ original motion to dismiss in a similar fashion to the relief the parties request here (Docket No. 23, filed 2/2/23); conducting the initial CMC and related discovery deadlines, in light of Defendants’ original motion to dismiss (Docket No. 25, filed 3/13/23); filing oppositions and replies related to the motion to dismiss the First Amended Complaint in a similar fashion to the relief the parties request here (Docket No. 37,

1 filed 4/19/23); filing the Second Amended Complaint (Docket No. 52, filed 1/17/24); and responding
2 to the Second Amended Complaint (Docket No. 59, filed 2/13/14).

3 All previous extensions were sought by stipulation of the parties.

4 **IT IS SO STIPULATED.**

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6 Dated: March 6, 2024

LEWIS & LLEWELLYN LLP

7 By: *s/ Kenneth M. Walczak*

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10 Marc R. Lewis
Kenneth M. Walczak

11 Attorneys for Plaintiff
ALBERT RICHARDS

12
13 Dated: March 6, 2024

KRAMER LEVIN NAFTALIS & FRANKEL LLP

14 By: *s/ Leah S. Friedman*

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16 Jonathan M. Wagner
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22 ROGERS, STEVEN ROGERS, AND PAUL
23 BARKWORTH
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ORDER

Having reviewed the parties' stipulation, and good cause appearing therefor, the Court orders as follows:

- Plaintiff may file their Opposition briefs to Defendants' Motion to Dismiss the Second Amended Complaint, Motion to Dismiss Paul Barkworth as a defendant, and Motion to Stay Discovery no later than **March 22, 2024** at 10:00 am Pacific time;
- Defendants may file their Reply briefs in support of those same three motions, if any, no later than **April 4, 2024**.

The hearing on Defendants' three motions remains set for April 11, 2024, at 2:00 pm.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/7/2024



Hon. Haywood S. Gilliam, Jr.
JUDGE, UNITED STATES DISTRICT COURT